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Attorneys for Plaintiff
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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JERRETT NEWMAN,

Defendant.

CASE NO. 1:21-CR-00299-ADA-BAM
1:16-CR-00086-JLT-SKO

STIPULATION TO CONTINUE STATUS
CONFERENCE; ORDER

DATE: August 9, 2023
TIME: 1:00 p.m.
COURT: Hon. Barbara A. McAuliffe

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By this stipulation, the government and defendant now move to set the matter for jury trial on November 14, 2023, and to exclude time between August 9, 2023, and November 14, 2023, under Local Code T4.

2. The parties further request that the matter be set for a trial confirmation hearing on October 23, 2023.

3. The parties request that the violation of supervised release (1:16-cr-86) trail the matter set for trial.

4. The parties agree and stipulate, and request that the Court find the following:

1 a) The government has represented that the discovery associated with this case
2 includes reports, photographs, and audio files. All of this discovery has been either produced
3 directly to counsel and/or made available for inspection and copying. Additionally, a plea
4 agreement has been provided or will be provided to defendant.

5 b) Counsel for defendant desires additional time to further review discovery, discuss
6 potential resolution with her client and the government, and investigate and prepare for trial.

7 c) Counsel for defendant believes that failure to grant the above-requested
8 continuance would deny him/her the reasonable time necessary for effective preparation, taking
9 into account the exercise of due diligence.

10 d) The government does not object to the continuance.

11 e) Based on the above-stated findings, the ends of justice served by continuing the
12 case as requested outweigh the interest of the public and the defendant in a trial within the
13 original date prescribed by the Speedy Trial Act.

14 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
15 et seq., within which trial must commence, the time period of August 9, 2023 to November 14,
16 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
17 T4] because it results from a continuance granted by the Court at the parties' request on the basis
18 of the Court's finding that the ends of justice served by taking such action outweigh the best
19 interest of the public and the defendants in a speedy trial.

20 g) The parties also agree that this continuance is necessary for several reasons,
21 including but not limited to, the need to permit time for the parties to exchange supplemental
22 discovery, engage in plea negotiations, and for the defense to continue its investigation and
23 preparation, pursuant to 18 U.S.C. § 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv).

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5. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: August 3, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ STEPHANIE M. STOKMAN
STEPHANIE M. STOKMAN
Assistant United States Attorney

Dated: August 3, 2023

/s/ JOHN GARLAND
JOHN GARLAND
Counsel for Defendant
JERRETT NEWMAN

ORDER

IT IS SO ORDERED that the status conference set for August 9, 2023 is vacated as to both cases. As to case number *1:16-CR-00086-JLT-SKO* a status conference is set for **October 23, 2023, at 8:30 a.m. before District Judge Ana de Alba**. As to case number *1:21-CR-00299-ADA-BAM* a jury trial is set for **November 14, 2023, at 8:30 a.m. before District Judge Ana de Alba** and a trial confirmation is set for **October 23, 2023, at 8:30 a.m. before District Judge Ana de Alba**. Estimate time of trial is **1 week**. Time is excluded through trial pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: August 3, 2023

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE